REMARKS

In response to the Final Office Action mailed January 7, 2009, Applicants respectfully request reconsideration. Claims 1-10 were previously pending in this application. By this amendment, claims 1-5 and 7-10 have been amended. As a result, claims 1-10 are pending for examination with claims 1 and 4 being independent claims. No new matter has been added.

I. Objections to the Claims

The Office Action objects to claim 10 for informalities. Claim 10 has been amended to address the noted informalities. Accordingly, it is respectfully requested that the objection to the claims be withdrawn.

II. Rejections Under 35 U.S.C. §102

The Office Action rejects claims 1-6 and 8-10 (including independent claims 1 and 4) under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Publication No. 2002/0047862 ("Aoki"). Applicants respectfully traverse these rejections.

A. Discussion of Aoki

A discussion of Aoki was provided in Applicants' previous response dated November 13, 2008. This discussion is repeated herein for the Examiner's convenience. Aoki is generally directed to a method for detecting errors in an audio-visual system which contains devices connected according to the IEEE 1394 network protocol (Abstract). Each device on the IEEE 1394 network includes a signal processing section for transmitting and receiving IEEE 1394 packets from the IEEE 1394 serial bus via a network cable (¶0085). The signal processing section provides two types of monitoring. First, the signal processing section monitors a signal supplied by the network cable to conduct loop detection and to detect error information of relatively low order, such as cable pulling out or putting in (¶0088). Second, the signal processing section monitors header information of packets flowing on the serial bus to detect error information of relatively middle order, such as noise detection, irregular signal detection, or detection deviation of a synchronizing signal which should come within a fixed time (¶0089-¶0090). If an error is detected via the first (i.e., device specific) monitoring function or the second (i.e., network-specific) monitoring function,

error information (signal S2 in Fig. 19) is assigned a priority and is transmitted from the signal processing section to the mainbody processing section for further processing, such as displaying the error based on the assigned priority (¶0090, ¶0094). It is notable that both types of monitoring are ***always*** performed (Fig. 21).

B. Aoki Fails To Disclose or Suggest All Limitations of Independent Claims 1 and 4

Claim 1 as amended recites, "A method for management for connection to a **public** network in which an electronic apparatus including an access controller for detecting connection or non-connection to a network cable and a micro-computer is used, said method comprising: carrying out, in executing an application, a first check to determine if a malfunction pertinent to the network connection exists, by detecting a state of an electrical connection of said network cable, responsive to a detection output of said access controller; **carrying out a second check, by said access controller, as to whether or not linkage to said public network is normal by determining if a network device connected to the public network and external to the electronic apparatus is malfunctioning only if, as a result of said first check, no malfunction pertinent to the network connection is detected**; and carrying out accessing of said application to said public network **if**, as a result of said second check, the linkage to said public network is normal (emphasis added). Support for these amendments can be found at least at page 3, lines 1-4, page 7, lines 7-9, Fig. 2 of Applicants' specification.

Aoki fails to disclose or suggest a second check that determines whether or not linkage to a ***public*** network is normal or that the second check is performed only if, as a result of a first check, no malfunction pertinent to a network connection is detected, as required by claim 1.

The Office Action alleges that Aoki teaches carrying out a second check, by said access controller, as to whether or not the linkage to said network is normal if, as a result of said first check, there is no malfunction pertinent to the network connection at ¶0090 and ¶109-113, asserting that the signal processing section of Aoki detects error information with regards to network operations while making a distinction between an error of the receiving system on the network and an error within the device (Office Action, pages 4). Applicants respectfully disagree that detecting error information regarding network operations in the system of Aoki is performed **only if, as a result of said first check, there is no malfunction pertinent to the network connection**, as

required by claim 1. Rather, in Aoki, error information regarding network operations is always monitored (e.g., either in act S19 or S22 of Fig. 21 of Aoki) regardless of whether or not a network connection is detected (e.g., in act S17 of Fig. 21 of Aoki). Furthermore, in Aoki, both device-specific and network-specific errors may be detected simultaneously, and the error with the highest assigned priority is displayed by the system of Aoki (¶0133). Thus, Aoki fails to disclose or suggest, carrying out a second check, by said access controller, as to whether or not linkage to said public network is normal by determining if a network device connected to the public network and external to the electronic apparatus is malfunctioning only if, as a result of said first check, no malfunction pertinent to the network connection is detected, as required by claim 1.

In embodiments of the present invention, the second check is ***only*** performed if the first check fails to detect a malfunction (Specification, Fig. 3). At least one reason for performing the second check only after the first check has failed to detect a malfunction, is to facilitate a user's awareness of a malfunction attributed to the own apparatus without having to wait for a timeout period associated with performing the second check (Specification, page 13, lines 18-20). This concern is not contemplated by Aoki because error monitoring of packets on the serial bus of Aoki is continuous such that it occurs whether or not a network connection is detected. As such, a timeout period in which a user is unable to make a request to the device during a second check does not exist in the system of Aoki.

Moreover, the system of Aoki is not concerned with public networks (e.g., the Internet) in any way, and is solely concerned with a local network comprising audio-visual components connected according to the IEEE 1394 protocol (Aoki, abstract). In contrast, claim 1 recites, *inter alia*, "a second check that determines whether or not linkage to said **public** network is normal" (emphasis added).

For at least these reasons, claim 1 patentably distinguishes over Aoki, and it is therefore respectfully requested that the rejection of claim 1 be withdrawn. Each of claims 2, 3, and 7-10 depends from claim 1, and patentably distinguishes over Aoki for at least the same reasons.

Claim 4 as amended recites, "An electronic apparatus for use with a public network, comprising: a connector jack for connection to a network cable; an access controller for detecting connection or non-connection of said network cable to said connector jack; and a micro-computer; said micro-computer carrying out, in executing an application, a first check to determine if a

malfunction pertinent to connection to the network exists, by detecting a state of electrical connection of said network cable, responsive to a detection output of said access controller; **carrying out a second check, by said access controller, as to whether or not linkage to said public network is normal by determining if a network device connected to the public network and external to the electronic apparatus is malfunctioning only if, as a result of said first check, no malfunction pertinent to the network connection is detected**; and carrying out accessing of said application to said public network if, as a result of said second check, the linkage to said network is public normal (emphasis added)."

As should be appreciated from the foregoing discussion of claim 1, claim 4 patentably distinguishes over Aoki for at least the same reasons as claim 1. Accordingly, it is respectfully requested that the rejection of claim 4 under 35 U.S.C. §102(e) as allegedly being anticipated by Aoki be withdrawn.

Each of claims 5 and 6 depends from claim 4, and patentably distinguishes over Aoki for at least the same reasons.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. S1459.70085US00.

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Respectfully submitted,

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